3/14/72

Mr. W.F.Childress, Editor
Knoxville Journal
Knoxville, Tenn.

Dear Mr. Childress,

This is for your information only. I cannot say whether it can be interpreted as addressing the perplexity I shared with you about James Earl Ray's alleged or real escape attempt.

Jerry Ray called me yesterday. I also got a letter from James. Now there was one thing in the letter from James, a matter relating to his defense, that I did not want to and did not think should go through censorship. So, I asked Jerry if, because he was leaving St. Louis en route to Georgia, he would deliver the message to James. He said he wasn't seeing James because the warden has cut him off the visiting list for six months. I asked if this were because he had been to the jail shortly before the incident. Jerry said no, that it was attributed to his taking the letter to Yarborough.

I don't know whether the letter would have gone through if James had put it in the regular prison mail. What he wrote me reached me. But apparently he felt it would have been refused. He has told me that one letter he wrote me had been refused. He later handed it to me in person.

But I do know this: the warden knew of and approved Jerry's taking things out for James. He told me, in person. This is how it came to pass. When I was there, the time I saw you, there was certain information I asked of James. He said he did not have all of it and when he did, he would give it to me. It is of a nature that he could not consider letting those he regards as other than his own defense see. I can't go down there whenever he or I may want. So, I asked the warden if there were any mechanism by which James could send me or Bud things without their passing through censorship. The warden replied that if James told him, he would not read it. I said that he might intend this but James would never believe it, as I would not were I in his position. The warden then said that Jerry is there often and James could send it through Jerry. He then said he knew James was doing this, indeed he did. All those papers you let Jerry copy for me while we were talking James had just given to Jerry for that purpose, while I was talking to the warden. We returned them to James when we went back.

In banning Jerry, the warden has banned the one member of his family who can visit James. He has also closed James' only real link with the outside. Neither the lawyers nor I, all volunteers and unpaid, can go there that often. I'll be informing Bud of this with a carbon of this letter. I do not feel it is up to me to make any kind of issue of this, if anyone else does. That is the area of Bud's responsibility and Jerry's and James' desires. But I confess perplexity again. This is entirely inconsistent with the impression I formed of the warden and it is inconsistent with the practise he sanctioned and of which he knew. Aside from the question of fact, was James trying to break out, is his letter that bad? Although he had assured me he would not, I had believed James did try to break out. I wrote him a rather severe letter, and I sent it to the warden for him to read first. This did not

encourage James to have faith in me, to trust me more. I did it that way because I believed it to be the right way. Now, on the question of fact, of which I have no knowledge, it seems to me that with a prisoner charged with as significant a crime as this, and when the official story rests on the word of partisans, two guards who allegedly saw James sneaking away from the general area, the science of fingerprinting being what it is and it not being strange to officials, the failure to show that his were on those tools is not an omission I would have permitted to exist. It disturbs me that conflicting stories of the attempted escape have been given by different officials, and it disturbs me that James has been further isolated. I think it interferes with his defense and with the ultimate establishment of truth.

I am not unaware that the warden might associate this attempt, if he is satisfied it is real, with Jerry's visit. He could thus be looking for an excuse to reduce the possibilities of a similar adventure. If this is his belief or feeling, I can't think of any reason for him to be shy about it.

When I balance all of this, I am back at where I began, perplexed. I do feel that if James had made this attempt, the authorities should have know of the value of fingerprinting the tools, should have done it, and should have announced the results. It is, I would think, also inevitable that he would have left prints where he is alleged to have tried to break through.

Jerry described his conversation with Yarborough with me. He can tell you whether or not it is faithful. He quoted Yarborough as asking if he should hide how he got that letter. Jerry says he told him he knew of no reason to, that the warden knew all about it. He then added that he had just done $16.00 worth of xeroxing for James, papers James had given him and he had returned. At least this is the way I understood the conversation we had last night. Jerry doesn't have much education, but he is not stupid. If he felt there was any reason to hide it, he would have.

However one looks at all of this, I think there are reasonable doubts and questions, that it is a political case in which public authority is all hung up, and that James will be pretty isolated for about six months, which is adverse to the interest of justice, to the ultimate unravelling of the case and to his ability to participate in his own defense.

Sincerely,

Harold Weisberg